

REMARKS

By the present Amendment, claims 1-9 are cancelled and claims 10-24 are added to clarify the claims. This leaves claims 10-24 pending in the application, with claim 10 being the sole independent claim.

The specification is revised to eliminate formal objections and grammatical and idiomatic errors in the originally presented specification. The number and nature of the changes made in the specification would render it difficult to consider the case and to arrange the papers for printing or copying. Thus, the substitute specification will facilitate processing of the application. The substitute specification includes no "new matter". Pursuant to M.P.E.P. § 608.01(q), voluntarily filed, substitute specifications under these circumstances should normally be accepted. A marked-up copy of the original specification is submitted herewith.

The claims are rewritten to avoid the claim objections raised in the Office Action. No multiple dependency appears in the presently pending claims. Original and canceled claim 4 did not recite process steps, but recited the conical configuration of one end of the mat filter as a structural limitation. That limitation is included in independent claim 10.

Original claims 1-9 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The recitation in original claim 1 and now in claim 10 is in the nature of a product-by-process limitation defining a structural feature of the filter element (see, e.g. M.P.E.P § 2113 and 2173.05(p)). The pending claims provide proper antecedent basis for all terminology used therein. As noted above, the limitation of the mat filter conical end has not and is not recited as a process or a product-by-process limitation.

Accordingly, the presently pending claims are definite, and comply with 35 U.S.C. §112 and the applicable rules.

Claim 10 combines the limitations of original claims 1, 3 and 4, and thus, constitutes original claim 4 rewritten in independent form. Since the subject matter of claim 10 has not been rejected under 35 U.S.C. § 102 or 103, the record will not be burdened with comparisons of claim 10 and the claims dependent thereon with the cited prior patents.

In view of the foregoing, claims 10-24 are allowable. Prompt and favorable action is solicited.

Respectfully submitted,



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